



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Anton Wellstein

Serial No: 09/880097

Filed: June 14, 2001

For: PLEIOTROPHIN GROWTH FACTOR  
RECEPTOR FOR THE TREATMENT OF  
PROLIFERATIVE, VASCULAR AND  
NEUROLOGICAL DISORDERS

Attorney Docket No. 102728-P01-004

Art Unit: 1649

Examiner: Daniel E. Kolker

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DK  
considered  
10/18/06

**Declaration Under 37 CFR 1.132 of Anton Wellstein**

Sir:

I, Anton Wellstein, residing in Washington DC, hereby declare as follows:

1. I am the inventor of the above-mentioned application which teaches and claims, among other things, a pleiotrophin-interacting extracellular fragment of the tyrosine kinase receptor ALK. I am a Professor of Oncology in the Department of Pharmacology at the Georgetown University Medical Center. In this declaration, I discuss experiments conducted in my laboratory under my supervision. In Exhibit A, I further include a letter from the journal Nature related to the peer review of a manuscript describing experimental findings in my laboratory.

2. I am aware that the U.S. Patent Office has rejected claims 95-99, 101 and 104 as being allegedly inherently anticipated by the disclosure of an abstract by Aigner et al., Proceedings of the American Association for Cancer Research (March 1999) 40: 732 (#4833). The abstract discloses screening of "a phage-display library of human fetal brain cDNA using recombinant PTN as a bait." It further discloses that "a candidate receptor fragment was identified which is contained in the